

REMARKS

The Examiner is thanked for the performance of a thorough search.

By this amendment, Claims 1, 35, 41, and 75 have been amended. No claims have been added or cancelled. Hence, Claims 1-80 are pending in the application.

I. SUMMARY OF THE REJECTIONS

Claims 1-4, 7-8, 10-21, 23-25, 28-35, 37-44, 47-48, 50-61, 63-65, 68-75, and 77-80 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Schwartz et al., U.S. Patent No. 6,473,609 ("SCHWARTZ").

Claims 9, 22, 36, 49, 62, and 76 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SCHWARTZ in view of an Official Notice taken by the Examiner.

Claims 5-6, 26-27, 45-46, and 66-67 have been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SCHWARTZ in view of Monday, U.S. Patent No. 6,480,860 ("MONDAY").

II. REJECTIONS BASED ON THE CITED ART

A. CLAIMS 1 AND 41

Claims 1 and 41 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SCHWARTZ. The rejection is respectfully traversed.

Specifically, amended Claims 1 and 41 include the following features:

managing ... **information including first data describing a graphical element for display on the mobile device**, the first data including **a first reference to the graphical element**, and **values for a plurality of attributes of the graphical element, wherein one of the values associated with one of the plurality of attributes is a second reference** to a page associated with requesting a service from a first application;

sending to the client process for rendering the graphical element on the mobile device, second data based on the first data, the second data including the first reference;

...

The Applicants respectfully submit that none of these features are shown or in any way disclosed by SCHWARTZ. Specifically, SCHWARTZ does not show or otherwise render obvious the features of: (1) managing information that includes first data describing a graphical element for display on the mobile device, the first data including a first reference to the graphical element, and values for a plurality of attributes of the graphical element, wherein one of the values associated with one of the plurality of attributes is a second reference to a page associated with requesting a service from a first application, and (2) sending to the client process for rendering the graphical element on the mobile device, second data based on the first data, the second data including the first reference.

Claims 1 and 41 clearly indicate that the first reference that is sent from the server to the mobile device, and that is received from the mobile device at the server, is a reference to the graphical element that is being rendered at the mobile device. An example of such reference to a graphical element is given in the present application at page 54, line 26 to page 55, line 15.

Based on the first reference to the graphical element, the server is able to identify various types of information associated with the graphical element, one of which could be an attribute that may be a second reference to a page associated with requesting a service from an application. Specifically, Claims 1 and 41 recite that in response to receiving the third data that indicates the first reference to the graphical element being rendered at the mobile device, the following steps are performed:

reading from the third data the first reference;
using the first reference that is read from the third data to locate the first data that describes the graphical element;

after locating the first data that describes the graphical element, reading from the first data the second reference; and
requesting the page from the first application based on the second reference.

None of these features of Claims 1 and 41 is shown or in any way rendered obvious by SCHWARTZ. In fact, in the rejections of Claims 1 and 41 and in the rejections of the rest of the claims in the present application, the Office Action does not specify exactly what in SCHWARTZ corresponds to or constitutes each element or feature of the claims. In an Office Action “the particular part relied on must be designated as nearly as practicable ... The pertinence of each reference, if not apparent, must be clearly explained ...” (MPEP §707, citing 37 C.F.R. §1.104(c)(2)), and “the particular figure(s) of the drawings(s), and/or page(s) or paragraph(s) of the reference(s), and/or any relevant comments briefly stated should be included.” (MPEP §707). The present citations to SCHWARTZ do not provide the Applicants with adequate notice or reasonable particularity with respect to the basis of the rejections. Instead, large portions of SCHWARTZ are simply identified in a non-specific way without any comments or notes to explain how the portions are relevant to the features of the claims. As a result, the Applicants have had to engage in guesswork to determine the basis of the rejections. The Applicants cannot see any structure or functions in SCHWARTZ that correspond to the features of Claims 1 and 41 discussed above.

As best understood by the Applicants, the Office Action asserts that the address identifiers described in SCHWARTZ in col. 14, line 66 to col. 15, line 8 somehow correspond to a first reference to a graphical element as recited in Claims 1 and 41. This is incorrect.

In col. 14, line 61 to col. 15, line 8, SCHWARTZ states:

Although converter 612 in link server 606 converts the above code to a SDD file, a much more compact format for transmitting over wireless network 614. A long address, like <http://www.xyzinfo.com/LocalNews/Towns>, typically cannot be compressed further. **It is neither efficient nor wise to use the wireless network to communicate a number of long addresses in a file and return a**

URL request containing one or more of the addresses. Hence the present invention uses one or more address identifiers that are communicated over the wireless network. Each of the address identifiers identifies the full address. An address table is maintained in link server 606 that maps the address identifiers to the actual (full) addresses. The address identifying or address mapping methods described here are significantly different from prior art systems which send addresses to all hyperlinks in a markup language document along with the document to a terminal device. (Emphasis added.)

Thus, SCHWARTZ shows address identifiers that: (a) map to one or more URLs or web page addresses, and (b) are sent to the mobile device over the wireless network instead of the URLs or the web page addresses. However, the address identifiers simply identify a URL or a web page and do NOT identify the graphical element that is being rendered by the mobile device.

The address identifiers in SCHWARTZ cannot be used as a reference to identify a graphical element because several graphical elements displayed on the mobile device can be associated with the exact same address identifier if the several graphical elements point to the same URL or web page (see, for example, the use of “www.xyzinfo.com” col. 14, lines 25-45 of SHCWARTZ.) Thus, SCHWARTZ cannot possibly show that the address identifiers correspond to a reference to a graphical element as recited in Claims 1 and 41.

Furthermore, SCHWARTZ explicitly states that the address identifiers are used only for efficiently communicating, over a wireless network, a URL or a web page address to a mobile device and not for any other purpose. Thus, there is no need in SCHWARTZ to associate the address identifiers with a graphical element because as long as the system in SCHWARTZ uses an address identifier to efficiently transmit an URL or a web page address to the mobile device it is irrelevant to the system what particular graphical element may be pointing to the URL or the web page address.

Since the address identifiers in SCHWARTZ cannot possibly be used to identify a graphical element, the address identifiers in SCHWARTZ cannot possibly be used as a reference to a graphical element that is rendered by the mobile device.

For these reasons, SCHWARTZ cannot possibly show or render obvious the features of Claims 1 and 41 discussed above. Thus, it is respectfully submitted that Claims 1 and 41 are not anticipated by SCHWARTZ under 35 U.S.C. § 102(e), and reconsideration and withdrawal of the rejections of Claims 1 and 41 are respectfully requested.

B. CLAIMS 35 AND 75

Claims 35 and 75 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SCHWARTZ.

As amended herein, Claims 35 and 75 recite the features of

managing ... information including

- first data describing a plurality of pages sent for display on the mobile device, each page associated with requesting a service from an application, wherein each page has one or more graphical elements and the first data includes

- a first reference to each graphical element of the one or more graphical elements, and

- values for a plurality of attributes of each graphical element, wherein one of the values associated with one of the plurality of attributes is a second reference to one page of the plurality of pages,

...

- sending, to the client process for rendering a particular graphical element of the particular page, fourth data based on the first data, the fourth data including a particular first reference to the particular graphical element.

These features are similar to the features of Claims 1 and 41 discussed above. Therefore, for the same reasons given above with respect to Claims 1 and 41, the Applicants respectfully submit that SCHWARTZ fails to show or in anyway render obvious these features of Claims 35 and 75.

For this reason, it is respectfully submitted that Claims 35 and 75 are not anticipated by SCHWARTZ under 35 U.S.C. § 102(e), and reconsideration and withdrawal of the rejections of Claims 35 and 75 are respectfully requested.

C. CLAIMS 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, AND 77-80

Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by SCHWARTZ.

Each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 is dependent upon one of independent Claims 1, 35, 41 and 75, and thus includes each and every feature of its corresponding independent claim. Each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 is therefore allowable for the reasons given above for Claims 1, 35, 41 and 75. In addition, each of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those features is not included at this time. Therefore, it is respectfully submitted that Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 are allowable for the reasons given above with respect to Claims 1, 35, 41 and 75.

For this reason, the Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 2-4, 7-8, 10-21, 23-25, 28-34, 37-40, 42-44, 47-48, 50-61, 63-65, 68-74, and 77-80 under 35 U.S.C. § 102(e) over SCHWARTZ.

D. CLAIMS 9, 22, 36, 49, 62, AND 76

Claims 9, 22, 36, 49, 62, and 76 have been rejected under 35 U.S.C. § 103(a) over SCHWARTZ in view of an Official Notice taken by the Examiner.

In addition, each of Claims 5-6, 26-27, 45-46, and 66-67 introduces one or more additional features that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time. Therefore, it is respectfully submitted that Claims 5-6, 26-27, 45-46, and 66-67 are allowable for the reasons given above with respect to Claims 1 and 41.

For these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 5-6, 26-27, 45-46, and 66-67 under 35 U.S.C. § 103(a) over SHCWARTZ in view of MONDAY.

III. CONCLUSION

The Applicants believe that all issues raised in the Office Action have been addressed. Further, for the reasons set forth above, the Applicants respectfully submit that allowance of the pending claims is appropriate. Entry of the Request for Continuing Examination and reconsideration of the present application are respectfully requested in light of the amendments and remarks herein.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Each of Claims 9, 22, 36, 49, 62 and 76 is dependent upon one of independent Claims 1, 35, 41 and 75, and thus includes each and every feature of its corresponding independent claim. The Official Notice taken by the Examiner does not assert that the features discussed above with respect to Claims 1, 35, 41, and 75 would have been obvious in light of the known art, and as discussed above these features are not disclosed, taught, or suggested by SCHWARTZ. Thus, the Applicants respectfully submit that SCHWARTZ and the Official Notice, taken either alone or in combination, necessarily fail to teach all of the features recited in Claims 9, 22, 36, 49, 62, and 76. It is respectfully submitted that Claims 9, 22, 36, 49, 62, and 76 are allowable for the reasons given above with respect to Claims 1, 35, 41, and 75.

For this reason, the Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 9, 22, 36, 49, 62, and 76 under 35 U.S.C. § 103(a) over SCHWARTZ in view of the Official Notice.

E. CLAIMS 5-6, 26-27, 45-46, AND 66-67

Claims 5-6, 26-27, 45-46, and 66-67 have been rejected under 35 U.S.C. § 103(a) over SCHWARTZ in view of MONDAY.

Each of Claims 5-6, 26-27, 45-46, and 66-67 is dependent upon one of independent Claims 1 and 41, and thus includes each and every feature of its corresponding independent claim. Furthermore, in rejecting Claims 5-6, 26-27, 45-46, and 66-67 the Office Action relies explicitly on SCHWARTZ, and not on MONDAY, to show the features discussed above with respect to Claims 1 and 41. Because SCHWARTZ does not teach the subject matter of Claims 1 and 41, any combination of SCHWARTZ with MONDAY necessarily fails to teach the complete combination recited in any dependent claim of Claims 1 or 41. Thus, each of Claims 5-6, 26-27, 45-46, and 66-67 is allowable for the reasons given above for Claims 1 and 41.

Application of Jyotirmoy PAUL, *et al.*, Serial No. 09/872,986, Filed May 31, 2001
Reply to Final Office Action and Request for Continuing Examination

Respectfully submitted,

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on May 27, 2005 by Jessie Hunt